



**MINUTES
CITY COUNCIL MEETING
June 15, 2021**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, and Deirdre Kvale (arrived a few minutes late)

Staff Present: City Administrator: Scott Weske; Public Works Director: Sean Diercks; Fire Chief: James Van Eyll; and City Clerk: Jeanette Moeller

Absent: Council: Gina Joyce (with prior notice)

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner reported that the EDA meeting scheduled to be held prior to the Council meeting was cancelled due to a lack of active agenda business. He noted that overall, City news has been quiet for the last few weeks.

APPROVE AGENDA

A motion was made by Feldmann, seconded by Dyvik, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of June 1, 2021 City Council Work Session Meeting
- B. Approve Minutes of June 1, 2021 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Approve the Proposal from Southwest Assessing to Provide City Assessor Services from July 1, 2021 through June 30, 2022 and to Authorize Staff to Execute the Contract for Services

Council member Dyvik inquired whether Southwest Assessing was new to the City.

City Administrator Weske replied that they were not and Consent Agenda Item D was just the annual renewal of their contract. He noted that this was their first proposed contract increase in about five years.

Council member Kvale commented that she would find it interesting to see an accounting of how much time they spend on providing services to Long Lake, even though there is a contract.

City Clerk Moeller suggested that staff could invite Southwest Assessing to a meeting so they could answer Council questions; or staff could follow up with the City Assessor and provide more information on the calculation of the contract rate to Council.

Council member Dyvik pointed out that the contract actually says that this is the first increase in their fee for the last nine years, not five years.

A motion was made by Dyvik, seconded by Feldmann, to approve the Consent Agenda as presented. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Receive and Accept the 2020 Audited Financial Report

Andy Berg of Abdo, Eick & Meyers gave a presentation reviewing the City's audited 2020 Financial Report. He indicated that they issued an unmodified or clean opinion which is the best a city can achieve. With regard to the City's internal controls, there were two findings similar to previous years audits relative to preparation of financial statements and limited segregation of duties. He explained that these findings are very common in small to medium organizations. He recalled that during last year's audit, there were three findings made and the City was able to resolve the finding from last year for investment reconciliation. He presented detailed information and answered Council questions related to General Fund balances; budget to actual; revenues and expenditures by type; Special Revenue Fund balances; Fire Department Fund budget to actual; Capital Projects Fund balances; Debt Service Funds; Water Fund; Sewer Fund; Surface Water Fund; Recycling Fund; and reviewed key performance indicators.

A motion was made by Miner, seconded by Dyvik, to receive and accept the Management Letter and Annual City Financial Report for the year ended December 31, 2020 issued by City external auditors, Abdo, Eick & Meyers, LLP. Ayes: all.

Annual Review of Conditional Use Permits Approved by the City

Moeller explained that City Planning Consultant Rybak had been unable to attend tonight's meeting due to a scheduling conflict. She provided an overview of the Conditional Use Permit process and touched on what would constitute grounds for revocation. She reported that Rybak had put together a table of all the known CUPs granted by the City going back to the 1980s. She reviewed some details of the CUPs specific to Tonka Auto and Marine, Birch's on the Lake restaurant, and the Long Lake Rowing Crew. She noted that enforcement of CUP conditions and of code violations is currently done on a complaint basis.

The Council discussed confusion and possible violations in the CUP and annual water use permit for the Long Lake Rowing Crew, questioning items the HCSO Water Patrol has jurisdiction over.

Council member Kvale asked if it is difficult to remove the CUP from properties that are no longer operating or using it, since they go with the land.

Moeller read aloud from Rybak's staff report and responded that, "Once the CUP has been approved, the Council cannot alter the conditions that were placed on the approval. The CUP runs with the land and is allowed to continue into perpetuity unless the use is discontinued for a period of one year." She noted that she believes there may be a few CUPs that didn't make it to the table put together by City Planner Rybak.

Council member Kvale questioned whether there had been any complaints about the barbed wire/chain link fence for Tonka Auto and Marine.

Moeller responded that the City had not received active complaints about the barbed wire, but the City Council had previously requested removal of the barbed wire and it has not yet been removed.

Council member Feldmann inquired what leverage the City has in that type of situation. He stated that if they don't have any leverage, the City may want to implement a fine of some sort if they are not in compliance.

Moeller indicated that staff is planning to improve those types of leverage mechanisms, particularly in the zoning code. She clarified that in the past, when code enforcement letters were sent regarding the barbed wire fencing issue, follow-ups did not occur. If the Council were to direct staff to pursue removal of the barbed wire, she would recommend the City pursue the matter more aggressively and not just send a letter without any follow up or follow through.

Council member Kvale questioned why barbed wire is not allowed.

Moeller replied that she is not sure why Zoning Code prohibits barbed wire and noted that it may be related to being unsightly, but there is probably also a safety issue as well.

Council member Feldmann added that there is not always good faith on the other side by a letter recipient and that sometimes, some 'teeth' are needed.

Moeller stated that staff agrees that the City needs to work on its 'teeth' for enforcement activities.

Mayor Miner commented that the City needs to be more uniform about the way it addresses enforcement.

Moeller added that one of the things she and Rybak have discussed is that they see issues, especially in some areas in the Industrial zoning districts, that need real clean-up and compliance. She noted that the City may want to attempt to do a true follow-through code enforcement process for these areas and thinks the Council may want to discuss this at a future work session. She added that it would be time consuming to start because compliance issues would have to be identified with a physical walk-through.

Mayor Miner supported further discussion of the matter as a good topic for a work session.

A motion was made by Kvale, seconded by Dyvik, to approve the annual review of all active Conditional Use Permits, as presented. Ayes: all.

The Council discussed options to pursue compliance with the barbed wire fencing at Tonka Auto and Marine.

Moeller indicated that she would check with the City Attorney on enforceability of something that the City has not addressed in a number of years and bring back an update at a future Council meeting.

Discuss July 6, 2021 City Council Meetings

Weske stated that there are a few staff members and Council members that will be out of town, but Council could potentially attend the meeting via Zoom. He stated that staff is looking for a feeling from the Council if they would like to pursue rescheduling the meeting or holding a Zoom meeting.

A motion was made by Feldmann, seconded by Kvale, to hold the July 6, 2021 City Council Meeting and Council Work session via Zoom. Ayes: all.

Update on Fire Department Discussions

Fire Chief Van Eyll reported that there is good news on the fire protection district legislation and explained that it had made it into the final version of the tax bill. He stated that he attended the City of Orono's Council work session the previous night where they discussed the Fire Department's

Capital Improvement Plan (CIP). He was given direction to meet with their City Administrator to go through the fleet and the CIP.

Council member Dyvik confirmed that this meant that the purchase of the truck is on hold.

Van Eyll replied that Council member Dyvik was correct, and Van Eyll has contacted the company and they have released the chassis that had been reserved for the purchase.

Mayor Miner added that there are no significant updates or news from the ongoing Fire Department discussions.

Council member Dyvik noted that he had met the City Administrator for the City of Glenwood at a baseball game and found out that they have their own Fire Department and generally purchase used equipment. He questioned how common it is for cities to purchase used equipment.

Fire Chief Van Eyll stated that the department has not purchased used equipment, but has purchased items that were returned after insignificant or no use. He indicated that in those situations they were able to obtain a purchasing discount, even though items were technically new. He added that they have had used equipment donated to the Fire Department, but to his knowledge, have not purchased used equipment. It can definitely happen and is not unheard of.

The Council discussed the possibility of finding ways to generate additional revenue and discussed the pros and cons of things like municipal liquor on and off sale establishments.

OTHER BUSINESS

Speed and Traffic Concerns - Council member Feldmann asked about the Orono Orchard Lane issue with people speeding through the area. Mayor Miner indicated that he thought the 'speed trap' that had been set up was helpful while the road construction detour had been in effect.

Council member Feldmann noted that he had received an e-mail about the intersection of Lindawood Lane and Wayzata Boulevard W regarding visibility issues and how fast people are driving. He inquired whether the City had any say over speed limits on Wayzata Boulevard W or if it was all up to Hennepin County. Weske confirmed that Wayzata Boulevard W is under the County's jurisdiction. He believed there was supposed to be a speed study conducted last year, but it had not been done yet. Public Works Director Diercks added that he thinks Hennepin County is leaning on Mn/DOT to do the study for them.

Carp Box Netting on Long Lake - Council member Dyvik shared a portion of the Long Lake Waters Association newsletter regarding the carp in Long Lake. He read aloud an article about an upcoming box netting program they've undertaken in partnership with Carp Solutions to help control the carp population.

Status of Fire Damaged Underhill Circle House – Council member Dyvik noted that the fire damaged house on Underhill Circle continues to be there over a year later. He commented that this is not a good look for the City and he would like to see something done. Moeller confirmed that staff is following up with the Underhill Circle house situation. She stated that their contractor has submitted an application for a permit to demolish the home and the plan as presented now is for the demo to be completed by September 1, 2021.

Glenwood Development Corporation - Council member Dyvik mentioned that the City of Glenwood also has a development corporation and inquired whether Weske was familiar with that. He indicated that it sounds like it supports their EDA but is made up of business owners that are

more actively involved in development. Weske responded that he has not heard of one of those before and usually the EDA is simply made up of different members of the community, including business owners. Moeller noted that it may be something that is more common outside of the metro area.

Water Consumption During Drought - Public Works Director Diercks reported that Public Works staff are monitoring the City's water situation very closely and noted that daily water pumped had surpassed the 400,000 gallons mark twice during that week. He stated that they are currently pumping about 130,000 gallons above normal daily usage. He assured the Council that there is no reason for alarm at this time, but they are continuing to watch the situation. Moeller offered to post something on the City's Facebook page to communicate about encouraging water conservation at this time.

Park Usage - Diercks advised Council that park usage has seen astronomical use levels continuing in 2021 that are actually higher than in 2020.

Patching Activities – Diercks stated that Public Works will be beginning City-wide pavement patching starting in July, and explained that the hot mix plant the City uses remains closed until July 1, 2021.

Firefighter Anniversary and Fire Department Activities - Fire Chief Van Eyll reported that the Department will have a pretty big milestone tomorrow with the 45th anniversary of firefighter Kelly O'Shaughnessy with the Long Lake Fire Department. He added that he will keep the Council notified should they decide to hold any sort of celebration for him. Van Eyll also noted that the firefighters were called out at about 2:30 am responding to a house fire in Hamel.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:51 pm.

Respectfully submitted,

Scott Weske
City Administrator